

By

Peveto

H B. No. *1795*

A BILL TO BE ENTITLED

AN ACT

relating to the ratemaking authority of the Texas Water Rights Commission; amending Section 6.056, Water Code.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 6.056, Water Code, is amended to read as follows:

"Sec. 6.056. RATE-FIXING POWER. (a) In this section, 'political subdivision' includes incorporated cities and towns, counties, river authorities, water districts, and other special purpose districts.

"(b) The commission shall fix reasonable rates for the furnishing of water for any purpose mentioned in Chapter 5 or 6 of this code.

"(c) If a political subdivision provides the water supply, the commission shall provide for rates using the cash basis and rates shall be fixed at a level that will permit the political subdivision to pay all operating, maintenance, depreciation, replacement, betterment, and interest charges necessary and attributable to providing service to customers and to establish and maintain an interest and sinking fund sufficient to pay any outstanding indebtedness incurred for the purpose of purchasing, constructing, or improving the facilities used for supplying service. In fixing rates, the commission may allow additional profits to the political subdivision based on and limited to the

1 need for additional profit as a condition to incurring indebtedness
2 for the purpose of providing service to the political subdivision's
3 customers.

4 "(d) The commission may establish interim rates and compel
5 service during the pendency of a rate dispute.

6 "(e) The commission may prescribe the terms and conditions
7 of service.

8 "(f) The commission may order a refund of the difference
9 between the rate actually charged and the rate fixed by the
10 commission, plus statutory interest. The refund shall be ordered
11 from the date a petition for rate review is received by the
12 commission."

13 Sec. 2. Nothing in this Act affects the Public Utility
14 Regulatory Act (Article 1446c, Vernon's Texas Civil Statutes).

15 Sec. 3. The importance of this legislation and the crowded
16 condition of the calendars in both houses create an emergency and
17 an imperative public necessity that the constitutional rule
18 requiring bills to be read on three several days in each house be
19 suspended, and this rule is hereby suspended, and that this Act
20 take effect and be in force from and after its passage, and it is
21 so enacted.

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MAR 10 1977

1. Filed with the Chief Clerk.

MAR 15 1977

2. Read first time and referred to Committee on

Natural Resources

3. Reported favorably (as amended) and sent to Printer at _____ M.
unfavorably (time)

4. Printed, distributed and sent to the Committee on Calendars at _____ M.
(time)

5. Read second time (amended); passed to third reading (failed) by (Non-Record
Vote) (Record Vote of _____ yeas, _____ nays, _____
present, not voting).

6. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed
prevailed (failed) by a (Non-record vote) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

7. Constitutional Rule requiring bills to be read on three several days suspended (failed to
suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting.

8. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record
Vote of _____ yeas, _____ nays, _____ present, not
voting).

9. Caption ordered amended to conform to body of bill.

10. Motion to reconsider and table the vote by which H.B. _____ was finally passed
prevailed (failed) by a (Non-record) (Record Vote of _____ yeas, _____
nays, and _____ present, not voting).

11. Ordered Engrossed at _____ M.
(time)

12. Engrossed.

13. Returned to Chief Clerk at _____ M.
(time)

14. Sent to Senate.

Chief Clerk of the House

15. Received from the House _____

16. Read, referred to Committee on _____

17. Reported favorably _____

18. Reported adversely, with favorable Committee Substitute; Committee Substitute
read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(_____ yeas, _____ nays)

To the _____
suspended by _____ yeas, _____

Read _____

23. Caption ordered amended to conform to Body of Bill _____

24. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ days to place bill on third reading and final passage.

25. Read third time and passed by _____
(a viva voce vote.)
(_____ yeas, _____ days.)

OTHER ACTION: OTHER ACTION:

26. Returned to the House.

27. Received from the Senate (with amendments).

28. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-record
Vote) (Record Vote of _____ yeas, _____ days, _____ present,
not voting).

29. Conference Committee Ordered.

30. Conference Committee Report Adopted (Rejected) by a (Non-record Vote) (Record
Vote of _____ yeas, _____ days, and _____ present, not voting).

31. Ordered Enrolled at _____ M.
(time)

NR